

11939 CANYON VALLEY DRIVE  
TOMBALL, TX 77377

00000004653234

**EXHIBIT "A"**

LOT ON E (1), IN BLOCK TWO (2), OF CANYON GATE AT NORTH POINTE, SECTION TWO (2), AN ADDITION IN HARRIS COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED TINDER FILM CODE NO. 404083 OF THE MAP RECORDS OF HARRIS COLNTY, TEXAS.

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# EXHIBIT D

11539 CANYON VALLEY DRIVE  
FORDHALL, TX 75442

00000004651234

NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.

1. Date, Time, and Place of Sale.

Date: January 06, 2015

Time: The sale will begin at 1:00PM or not later than three hours after that time.

Place: DESIGNATED AREA AT THE HARRIS COUNTY FAMILY LAW CENTER PER COMMISSIONER'S COURT ORDER DATED 03/18/03, CLERK'S FILE NO. W516820 OR AS FURTHER DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. Terms of Sale. Cash.

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated June 27, 2005 and recorded in Document CLERK'S FILE NO. Y586796 real property records of HARRIS County, Texas, with ANTWAN HENRY, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC ("MERS") AS NOMINEE, mortgagee.

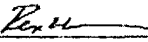
4. Obligations Secured. Deed of Trust or Contract Lien executed by ANTWAN HENRY, securing the payment of the indebtednesses in the original principal amount of \$167,200.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2006-5 is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. Property to Be Sold. The property to be sold is described as follows:

LOT ONE (1), IN BLOCK TWO (2), OF CANYON GATE AT NORTHPOINTE, SECTION TWO (2), AN ADDITION IN HARRIS COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED TINDER FILM CODE NO. 401083 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

6. Mortgage Servicer Information. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. GREEN TREE SERVICING LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o GREEN TREE SERVICING LLC  
7360 SOUTH KYRENE ROAD  
TEMPE, AZ 85283

  
NATHAN SANCHEZ, REX KESLER, OR THOMAS REDER  
Substitute Trustee  
c/o BARKETT DAFFIN FRAPPIER TURNER & ENGEL, LLP  
15000 Surveyor Boulevard, Suite 100  
Dallas, Texas 75244

STAN STANART, COUNTY CLERK, HARRIS COUNTY, TEXAS

FRCL-2014-11558

14 1:33:33 PM

# EXHIBIT E

November 17, 2014

Antwan Henry  
11939 Canyon Valley Drive  
Tomball, TX 77377

**VIA CERTIFIED MAIL**  
**Return Receipt Requested**

Barrett Daffin Frappier Teruner & Engel, L.L.P  
15000 Surveyor Blvd., Suite 100  
Addison, TX 75001

Greetings:

Re: NOTICE OF ACCELERATION and NOTICE OF SUBSTITUTE TRUSTEE SALE  
Letter Date: 11/4/2014  
**Sale Date: December 02, 2014**  
Account Number: \*\*\*\*3612  
Servicer: Green Tree Servicing LLC  
Property Owner: Antwan Henry  
Property Address: 11939 Canyon Valley Drive, Tomball, TX 77377

Dear Sir or Madam:

You are hereby noticed that the title to subject property is in currently in dispute in the Southern District of Texas, Houston Division, **Civil Action No. H-14-2497, Antwan Henry v. Bank of America, N.A., et al.**

Please give me a written itemization of the entire amount I must pay.

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FAIR DEBT COLLECTION PRACTICES ACT § 15 U.S.C. § 1692 et seq., as amended

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Pursuant to 15 U.S.C. § 1641 (f):

Today we received your above-referenced letter, titled "NOTICE OF ACCELERATION", and quoting an amount due of "the past due balance on the Debt", and making a statement that "On Tuesday, December 02, 2014, ... the Trustee ... will sell at the Courthouse ... the Real Estate described in the enclosed Notice." A previous (8/8/2014) letter from Barrett Daffin Frappier Teruner & Engel, L.L.P stated that "BANK OF AMERICA, N.A. AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP is acting as the Mortgage Servicer" contradictory to the subject letter which states that Green Tree is the servicer, thus it is unclear which company is the servicer and which role Bank of America, N.A. actually plays: servicer or noteholder? I disputed that letter, without satisfactory result.

This is not a refusal to pay, but a notice that all or part of your claim is disputed. It is not now, nor has it ever been our intention to avoid paying any obligation that we lawfully owe. This is a request for a verification and validation made pursuant to the federal Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq.

We request the name and address of the original creditor. Please cease collection of the debt until you obtain verification of the debt or a copy of a judgment, and the name and address of the original creditor, and mail us a copy of such verification or judgment, and name and address of the original creditor. See section 809 of the Fair Debt Collection Practices Act, 15 USC 1692g. Please identify the true and full name of your employer. See section 804.

Please be advised that we are not requesting "verification" that you have my mailing address. We are requesting a "verification" and "validation," that is, competent evidence that we have some contractual obligation to pay you a specific amount.

In addition, in view of Bank of America, N.A.'s ambiguous status as "servicer" or "Noteholder," and in view of massive fraud by forgery that has recently come to light, please send us a current certified copy of the Note, front and back, complete with all allonges. The notary's certification will include the name and title of the person in actual physical possession of the Note (at least at the time it was presented to the notary), and the date the copy was certified. See Texas Notary Handbook (published by Atkinson Bros. Agency), page 13.

We demand that no adverse information regarding this "alleged" account be reported to any consumer credit reporting bureau or agency, until you and Green Tree Servicing LLC have complied with the above request.

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**R.E.S.P.A. QUALIFIED WRITTEN REQUEST**

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Please treat this letter as a "qualified written request" under the Federal Servicer Act, which is a part of the Real Estate Settlement Procedures Act, 12 U.S.C. 2605(e).

Specifically, we are disputing a) the identity of a true secured lender/creditor, and b) the existence of debt, and c) your authority and capacity to collect on behalf of the alleged lender/creditor. Because of extensive criminal activity and fraud in this arena, we require proof of the chain of secured ownership from the original alleged lender/creditor to the alleged current lender/creditor. Further, we require proof that you are the entity that has been contracted to work on behalf of the alleged lender/creditor.

Pursuant to "Subtitle E Mortgage Servicing" of the Dodd-Frank Wall Street Reform and Consumer Protection Act and pursuant to 12 U.S.C. Section 2605(e)(1)(A) and Reg. X Section 3500.21(e)(1), please provide:

1. A full, double sided, certified "true and accurate" copy of the original promissory note with all allonges.
2. The security instrument.
3. All assignments of the security instrument.
4. Full name, address and telephone number of the actual entity that funded the transaction.

5. Full name of Trust where the Note Number is trading, or has traded, and the identifying Series of Certificates.  
(Note: If the note number is being traded in a Fannie Mae Trust or Freddie Mac Trust, please provide all information to identify the Trust (i.e. Fannie Mae Pool Number, CUSIP Number, REMIC or SMBS Trust Number and Trust Class/Tranche).
6. Full name, address, and telephone number of the Trustee.
7. Full name, address, and telephone number of the **Custodian of my original Promissory Note**, including the name, address and telephone number of any trustee or other fiduciary. This request is being made pursuant to Section 1641(f)(2) of the Truth In Lending Act.
8. Full name, address, and telephone number of the **Custodian of my original Security Instrument**, including the name, address and telephone number of any trustee or other fiduciary. This request is being made pursuant to Section 1641(f)(2) of the Truth In Lending Act.
9. **A physical location (address) of the original promissory note, original security instrument, and all assignments of the security instrument, and a contact name and phone number of someone who can arrange for inspection of said documents.**
10. Full name, address and telephone number of any master servicers, servicers, sub-servicers, contingency servicers, back-up servicers or special servicers for this account.
11. The electronic MERS number assigned to this account if this is a MERS Designated Account.
12. **Proof of true sale of the note** from alleged Lender to investors, by showing:  
Wire transfer document(s), and/or  
Signed purchase and sale agreement(s),  
Bank statements or similar documentation.
13. The MERS Milestone Report, if the note number and security instrument was tracked by Mortgage Electronic Registration Systems. I want to see the audit trail of the alleged transfer in ownership and alleged transfer in security interest.
14. A complete audit history from alleged loan origination, showing the dates payments were applied, and to what internal accounts (i.e. principal, interest, suspense, escrow, etc.) payments were applied.
15. A complete and itemized statement of all advances or charges against this account.
16. A complete and itemized statement of the escrow for this account, if any, from the date of the note origination to the date of your response to this letter.
17. Have you purchased and charged to the account any Force-Placed Insurance?
18. A complete and itemized statement from the date of the note origination to the date of your response to this letter of the amounts charged for any forced-placed insurance, the date of the

charge, the name of the insurance company, the relation of the insurance company to you or a related company, the amount of commission you received for each force-placed insurance event, and an itemized statement of any other expenses related thereto.

19. A complete and itemized statement from the date of the note origination to the date of your response to this letter of any suspense account entries and/or any corporate advance entries related in any way to this account.

20. A complete and itemized statement from the date of the loan to the date of your response to this letter of any property inspection fees, property preservation fees, broker opinion fees, appraisal fees, bankruptcy monitoring fees, or other similar fees or expenses related in any way to this loan.

21. A statement/provision under the security instrument and/or note that authorizes charging any such fee against the account.

22. Copies of all property inspection reports and appraisals, broker price opinions, and associated bills, invoices, and checks or wire transfers in payment thereof.

23. Complete copy of any transaction report(s) indicating any charges for any "add on products" sold to the debtors in connection with this account from the date of the note origination to the date of your response to this letter.

24. Complete and itemized statement of any late charges added to this account from the date of the note origination to the date of your response to this letter.

25. Complete and itemized statement of any fees incurred to modify, extend, or amend the loan or to defer any payment or payments due under the terms of the loan, from the date of the note origination to the date of your response to this letter.

26. Complete, itemized statement of the current amount needed to pay-off the alleged "loan" in full.

27. Verification of any notification provided to me of a change in servicer.

**You should be advised that within FIVE (5) DAYS you must send us a letter stating that you received this letter. After that time you have THIRTY (30) DAYS to fully respond as per the time frame mandated by Congress, in "Subtitle 'E' Mortgage Servicing" of the "Dodd-Frank Wall Street Reform and Consumer Protection Act and pursuant to 12 U.S.C. Section 2605(e)(1)(A) and Reg. X Section 3500.21(e)(1).**

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TRUTH – IN-LENDING ACT § 131(f)(2)

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Pursuant to 15 U.S.C. § 1641 (f):



Please provide the name, address and telephone number of the owner(s) of the mortgage and the master servicer of the mortgage.

**You should be advised that Violations of this Section provide for statutory damages of up to \$4,000 and reasonable legal fees. The amendments also clearly provide that the new notice rules are enforceable by private right of action. 15 USC 1641**

Sincerely,

/s/ Antwan Henry

Antwan Henry

# EXHIBIT F

SENT VIA FIRST CLASS MAIL

Antwan Henry  
11939 Canyon Valley Dr.  
Tomball, TX 77377

RE: Loan No.: 82813612  
Borrower: HENRY  
Property Address: 11939 Canyon Valley Drive, Tomball, Texas 77377  
BDF No.: 4653234

Dear Mr. Henry:

As counsel for Green Tree Servicing, LLC, we are responding to your recent correspondence regarding the above-referenced matter.

In accordance with the Federal Fair Debt Collections Practices Act, as certification of the indebtedness, please find enclosed a copy of the Note and a copy of the Deed of Trust executed by Antwan Henry on June 27, 2005, from the records held by our client, the current mortgagee. The original mortgagee was Network Funding, L.P., 9000 Richmond Avenue, Houston, Texas 77042. Green Tree Servicing, LLC, whose address is 7360 South Kyrene Road, Tempe, Arizona 85283, is the loan servicer for The Bank of New York Mellon FKA The Bank of New York, as Trustee for the Certificateholders of the CWABS, Inc., Asset-Backed Certificates, Series 2006-5, the current mortgagee.

Your correspondence was forwarded to our client for review and response. This firm cannot accept service of your qualified written request ("QWR") because 12 U.S.C. § 2605 requires that a QWR be sent to the "mortgage servicer" of the mortgage in question. In addition, this firm would not have all the information you request. The servicer will respond directly to your request. According to our records, the servicer of the mortgage in question is:

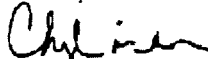
Green Tree Servicing, LLC  
7360 South Kyrene Rd.  
Tempe, AZ 85283

We forwarded a copy of your correspondence to Green Tree Servicing, LLC. We will proceed with the scheduled December 2, 2014 foreclosure sale unless full reinstatement or payoff funds are received or we are otherwise instructed by our client.

You may contact our client's Loss Mitigation department directly at (800)643-0202 to discuss options that may be available to your client.

Pursuant to the Federal Fair Debt Collection Practices Act, we advise you that this firm is a debt collector attempting to collect the indebtedness referred to in the above paragraphs and any information we obtain from you will be used for that purpose.

Sincerely,

  
Cheryl Astor

Antwan Henry  
11939 Canyon Valley Dr  
Tomball TX 77377-7636

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE SOUTHERN DISTRICT OF TEXAS**  
**HOUSTON DIVISION**

Antwan Henry,  
  
Plaintiff,  
  
vs.

Case No.: 4:14-CV-02497

**CERTIFICATE OF SERVICE**

BANK OF AMERICA, N.A.,  
AS SUCCESSOR BY MERGER TO  
BAC HOME LOANS SERVICING, LP  
TRUSTEE SERVICES, INC.;

THE BANK OF NEW YORK AS TRUSTEE  
FOR THE CERTIFICATEHOLDERS CWABS,  
INC. ASSET-BACKED CERTIFICATES,  
SERIES 2006-5;

WALTER INVESTMENT  
MANAGEMENT CORP;

GREEN TREE LOAN SERVICING, LLC,

BARRETT, DAFFIN, FRAPPIER TURNER &  
ENGEL, LLP, ISAOA ATIMA

Defendants.

**Honorable Sim Lake, Presiding**

[Complaint Filed 08/29/2014]

I, the undersigned, being over eighteen years of age, hereby certify that on the date last written below, a true, correct and complete copy of:

DECLARATION IN SUPPORT OF EX PARTE EMERGENCY APPLICATION  
FOR TEMPORARY RESTRAINING ORDER

was served via telephone facsimile on the following Defendants:

BANK OF AMERICA, N.A.  
c/o Louise Bowes  
Blank Rome LLP  
130 North 18th Street  
Philadelphia, PA 19103-6998  
VIA EMAIL: LBowes@BlankRome.com  
Fax: 215.832.5391  
Direct Line: 215.569.5391

GREEN TREE SERVICING, LLC  
c/o Paige E. Bryant  
Barrett Daffin Frappier Turner & Engel, L.L.P.  
15000 Surveyor Blvd., Suite 100  
Addison, TX 75001  
EMAIL : txhad@bdfgroup.com  
PHONE: (972) 341-0501  
VIA FAX: 972-386-7673

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Executed on: January 05, 2015

/s/ Antwan Henry  
Antwan Henry